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12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION

15 DOUGLAS KEANE,

16 Plaintiff,

17 v.

18 ATLAS HOSPITALITY GROUP,
 19 HEDMARK VIII, LLC and WESTLAND
 20 FINANCIAL III, LLC and JUSTIN B.
 MYERS.

21 Defendants.

22 Case No. C 07-06074 EMC

23 **STIPULATION AND [PROPOSED] ORDER
 24 OF DISMISSAL OF ACTION AS TO ATLAS
 25 HOSPITALITY GROUP AND JUSTIN B.
 26 MYERS WITH PREJUDICE PURSUANT
 27 TO F.R.C.P. 41(a)(1).**

28 Action Filed: October 22, 2007
 Action Removed: November 30, 2007
 Judge: Hon. Edward M. Chen

IT IS HEREBY STIPULATED by and between Plaintiff DOUGLAS KEANE and Defendants ATLAS HOSPITALITY GROUP and JUSTIN B. MYERS, through their counsel of record, that the above-captioned actions are dismissed with prejudice pursuant to Federal Rules of Civil Procedure Rule 41(a)(1) against the following defendants only:

- 27 1. ATLAS HOSPITALITY GROUP
- 28 2. JUSTIN B. MYERS

1 Each party will bear its own costs. The parties further stipulate that the Court may enter
 2 an order based on this stipulation. The action remains as to Defendants HEDMARK VIII, LLC
 3 and WESTLAND FINANCIAL III, LLC.

4 Dated: March 14, 2008

FOLGER LEVIN & KAHN LLP

5 /S/
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Joel D. Smith
 Attorneys for Plaintiff
 Douglas Keane

8 Dated: March 14, 2008

KEANE LAW FIRM

9 /S/
 10
 11

Christopher Keane
 Attorneys for Plaintiff
 Douglas Keane

12 Dated: March 14, 2008

LONG & LEVIT LLP

13 /S/
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Douglas J. Melton
 Attorneys for Defendants Atlas Hospitality Group and
 Justin B. Myers

16
 17 [PROPOSED ORDER]

18 Following the stipulation of the parties, and FRCP 41(a)(1), IT IS HEREBY ORDERED that the
 19 action as against Defendants ATLAS HOSPITALITY GROUP and JUSTIN B. MYERS be, and
 20 hereby is, DISMISSED WITH PREJUDICE, each party to bear his, her or its own attorney's fees
 21 and costs. The action remains as to Defendants HEDMARK VIII, LLC and WESTLAND
 22 FINANCIAL III, LLC.

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 24 Dated: March 19, 2008

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